

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
STATE OF NEW YORK ET AL,

Plaintiffs,

-against-

20 CIVIL 5583 (AKH)

**JUDGMENT**

UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES ET AL,

DefendantS.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order and Opinion dated November 12, 2024, the fact that some district comis have issued orders preliminarily enjoining parts of the 2024 Rule does not alter the fact that it superseded the 2020 Rule. Plaintiffs have not identified any specific provision of the 2020 Rule that is currently in force, and no live controversy still exists. Any opinion regarding the 2020 Rule would be "merely advisory" and violate Article III's case or controversy requirement. See Nat'l Mining Ass'n, 251 F.3d at 1011. Defendants' motion to dismiss is granted. Accordingly, the case is closed.

**Dated:** New York, New York

November 13, 2024

**DANIEL ORTIZ  
Acting Clerk of Court**



**BY:**

\_\_\_\_\_  
**Deputy Clerk**